

UNITED STATES DISTRICT COURT W.D. OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN K. FITZGERALD,

Defendant.

Case No. CR06-5513

AMENDED: INITIAL ORDER RE:
ALLEGATIONS OF VIOLATION OF
CONDITIONS OF SUPERVISION BY
UNITED STATES PRETRIAL
SERVICES

THIS MATTER comes on for hearing on the Petition of the United States Pretrial Services Office alleging that the defendant has violated the conditions of the Pre-trial Diversion Agreement as set forth in the Petition filed by U.S. Pretrial Services

The plaintiff appears through Special Assistant United States Attorney, BARBARA SIEVERS; The defendant appears personally and represented by counsel, JEROME KUH;

The defendant has been advised of the allegation(s) and that he/she could be detained pending resolution of the underlying charges in the Complaint/Indictment/ or Information if found to be in violation;

The court finding probable cause with regard to the allegation(s); the matter is scheduled for hearing on the following time and date before the Honorable J. K. ARNOLD;

Date: AUGUST 8, 2008

Time: 9:00 A.M.

(X) Defendant is released pending the above scheduled hearing.

(X) The court has advised the defendant that if he is free from arrest between this date and August 8, 2008, the court will consider him to be in full compliance with the Pre-Trial Diversion program and enter an order of dismissal in the above captioned cause. If the defendant is arrested/charged (excluding infractions), Pre-Trial Services is to notify the court and the defendant may expect the court to impose a significant fine and substantial jail time if he is found to be in violation. The defendant is excused from supervision by Pre-Trial Services during the remaining pendency of the action (subject to records checking by Pre-Trial services at 30 day intervals).

The clerks shall direct copies of this order to counsel for the United States, to counsel for the defendant, the United States Marshal and to the United States Probation Office and/or Pretrial Services Office.

August 8, 2007.

/s/ J. Kelley Arnold

J. Kelley Arnold, U.S. Magistrate Judge